



ఆంధ్రప్రదేశ్ రాజ పత్రము
THE ANDHRA PRADESH GAZETTE
PUBLISHED BY AUTHORITY

PART V EXTRAORDINARY

No.28

AMARAVATI, WEDNESDAY, JULY 13, 2022

G.730

**STATUTORY NOTIFICATIONS OF THE ELECTION COMMISSION OF
INDIA AND OTHER ELECTION NOTIFICATIONS**

--X--

**NOTIFICATIONS BY GOVERNMENT
GENERAL ADMINISTRATION (ELECTIONS) DEPARTMENT**

--X--

GENERAL ELECTION TO THE HOUSE OF PEOPLE, 2019 – DISQUALIFICATION ORDER
OF THE CONTESTING CANDIDATES – REPUBLISHED.

[Memo. No.1721/Elecs.A/A1/2021-21, Office of the Chief Electoral Officer, Andhra Pradesh, Dated:13.07.2022]

The following Order of the Election Commission of India, New Delhi,
No.76/AP-HP/2020, dated 8th July, 2022 / 17 Asadha, 1944 (Saka) is re-published:-

ORDER

WHEREAS, the General Election to the House of People for **17-Nandyal** Parliamentary Constituency of Andhra Pradesh, 2019 was announced by the Election Commission of India vide Press Note No. ECI/PN/23/2019 dated 10th March, 2019; and

WHEREAS, as per Section 78 of the Representation of the People Act, 1951, every contesting candidate has to lodge a true copy of his account of election expenses kept by him or by his election agent u/s 77, within 30 days with the concerned District Election Officer, from the date of election of the returned candidate; and

WHEREAS, the result of the election for **17-Nandyal** Parliamentary Constituency was declared by the Returning Officer on 23rd May, 2019 and hence the last date for lodging the account of Election Expenses was 22nd June, 2019; and

WHEREAS, as per the report dated **22nd June, 2019** submitted by the District Election Officer, **Kurnool District, Andhra Pradesh, Shri/Smt./Km./Ms Jestadi Sudhakar**, a contesting candidate from **17-Nandyal** Parliamentary Constituency of Andhra Pradesh in General Election to the House of People, 2019, has failed to lodge account of election expenses, in the manner prescribed under law; and

WHEREAS, on the basis of the said report of the District Election Officer, Kurnool, a Show-Cause notice No. 76/AP-HP/17/2020/SOU 3, dated 20th February, 2021 was issued under sub rule (5) of Rule 89 of the Conduct of Elections Rules, 1961 by the Election Commission of India to **Shri/Smt./Km./Ms Jestadi Sudhakar**, for not submitting the vouchers of election expenses as envisaged in Rule 86(2) and 86(3) of the Conduct of Election Rules, 1961; and

WHEREAS, through the above said Show Cause Notice and under sub rule (6) of Rule 89 of the Conduct of Elections Rules, 1961, **Shri/Smt./Km./Ms Jestadi Sudhakar** was directed to submit representation in writing to the Commission within 20 days of receipt of the notice, explaining the reason for the above said shortcoming in his account of election expenses and also to furnish to the District Election Officer, Kurnool, the vouchers indicating therein the date of expenditure, nature and amount of expenditure, the name and address of the payee, date of payment etc. as envisaged in 86(3) of the Conduct of Election Rules, 1961; and

WHEREAS, the District Election Officer, **Kurnool** has reported on 23.06.2021 that the said notice could not be served to **Shri/Smt./Km./Ms Jestadi Sudhakar**, as the said candidate was not found residing at the address provided by him in his nomination papers and on enquiry from his neighbors, it has been found that the candidate is not residing there for one and half years. Therefore, the Commission's notice dated 20.02.2021 was affixed at the said address; and

WHEREAS, vide Commission's letter No. 76/AP-HP/2020 dated 27th July, 2021, a copy of the said Notice dated 20.02.2021 was also emailed to the candidate at his given mail id i.e. delhisudharkarfoundation@gmail.com, whereby he was directed to submit a reply to the Notice within 20 days from receipt of the aforesaid letter and latest by 16th August, 2021; and

WHEREAS, the District Election Officer, Kurnool in his supplementary report dated 20.06.2022, has reported that **Shri/Smt./Km./Ms Jestadi Sudhakar** has neither submitted any representation in response to Commission's Notice dated 20.02.2021 and letter dated 27.07.2021 nor requisite original vouchers till date. Further, no representation from the candidate in this regard has been received in the Secretariat of the Election Commission of India till date; and

WHEREAS, Section 10 A of the Representation of the People Act, 1951 provides that:-

“ If the Election Commission is satisfied that a person-

- (a) has failed to lodge an account of election expenses, within the time and in the manner required by or under this Act, and
- (b) has no good reason or justification for the failure,

the Election Commission shall, by order published in the Official Gazette, declare him to be disqualified and any such person shall be disqualified for a period of three years from the date of the order.”;

WHEREAS, on the basis of facts and available records, the Commission is satisfied that **Shri/Smt./Km./Ms Jestadi Sudhakar** has failed to lodge account of election expenses in prescribed manner under law and has no good reason or justification for the failure to do so; and

NOW, THEREFORE, in pursuance of Section 10A of the Representation of the People Act, 1951, the Election Commission of India hereby declares **Shri/Smt./Km./Ms Jestadi Sudhakar**, resident of **H. No. 28/1380A, Kolimipeta, Noonepalli, Nandyal, Kurnool District, Andhra Pradesh** and a contesting candidate from **17- Nandyal** Parliamentary Constituency of Andhra Pradesh in the General Election to the House of People, 2019 to be disqualified for being chosen as and for being a member of either House of Parliament or the Legislative Assembly or Legislative Council of a State or Union Territory for a period of three years from the date of this order.

By order,

AVINASH KUMAR,
Principal Secretary,
Election Commission of India.

MUKESH KUMAR MEENA,
Chief Electoral Officer,
Andhra Pradesh.